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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 MINNIE MOORE RESOURCES, INC., a
Nevada corporation,

CASE NO.: 2:18-cv-00086-APG-VCF

11 Plaintiff,

12 vs.

13 INTERVAL EQUIPMENT SOLUTIONS,
14 INC., a California corporation,

15 Defendants.
16 _____/

**STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANT
INTERVAL EQUIPMENT SOLUTIONS,
INC. TO FILE A RESPONSIVE
PLEADING TO PLAINTIFF'S
COMPLAINT
Third Request**

17 **STIPULATION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

18 (Third Request)

19 The parties respectfully submit the following Stipulation to allow Defendant INTERVAL
20 EQUIPMENT SOLUTIONS, INC. ("Defendant") time to file a responsive pleading to Plaintiff
21 MINNIE MOORE RESOURCES, INC. (hereinafter "Plaintiff"). Complaint filed on January 16, 2018.

22 **Reason for this Request**

23 Plaintiff served its Complaint on Defendant on January 22, 2018. On February 11, 2018, the
24 parties filed a stipulation to extend the time for response to the Complaint (Dkt. # 1) by ten (10) days
25 from the date of entry of order of the stipulation. (Dkt. # 8). Since that time, additional matters have
26 arisen in discussions between counsel that, if resolved, might significantly alter the direction of this
27 dispute, whether it be to place the matter into alternative dispute resolution or modify the actual claims
28

1 at issue. The parties submitted a second stip to extend the complaint response deadline to March 5,
2 2018. The Court issues an Order granting that extension on February 22, 2018 (Dkt. # 11).

3 The parties have been actively engaged in attempting to resolve key aspects of this litigation.
4 During the course of these discussions, it was discovered that in addition to the exchange of
5 information, a site inspection of the one of the subject pieces of equipment would need to take place.
6 This equipment is located near Boise, Idaho. As a result, the parties believe that conducting this
7 inspection and allowing for a reasonable time to discuss the findings would be appropriate. The
8 inspection is scheduled for March 26, 2018. The parties have therefore stipulated that the new deadline
9 to respond to the complaint is **April 26, 2018**.

10 **Good Cause and Excusable Negligent**

11 Good cause exists for the granting of the extension, as both parties are engaged in good faith
12 efforts to resolve all possible issues and streamline whatever remaining litigation might need to take
13 place. Obviously, the goal of the parties is to resolve this matter in its entirety without the need for a
14 protracted litigation. The parties are making every effort to do this, and the March 26th site inspection is
15 a crucial factor. The remaining time following the inspection is for the parties to review the results and
16 attempt to come to a resolution.

17 The deadline for Defendant to file its response was originally March 5th. This stipulation is
18 being served after this deadline due to two specific issues. First, as outlined above it was only recently
19 discovered that an inspection might allow the parties to resolve several critical matters regarding this
20 dispute. It took longer than anticipated to find a time that would work for all parties' schedule. Second,
21 counsel for Defendant was unavailable for several weeks due to a family medical issue. Counsel
22 welcomed his third child on February 6, 2018. However, there have been serious medical
23 complications that have required him to be out of the office to address. Counsel only recently returned
24 earlier this week. As such, it took time to finalize the inspection date and arrange the details so that the
25 parties could provide the information necessary to this Court as to why the third stipulation was
26 requested.

1 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through their
2 respective counsel, that Defendant shall answer or otherwise respond to Plaintiff's Complaint by
3 Monday, **April 26, 2018**

4 DATED: March 14, 2018

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6 By: /s/ Jason G. Landess
7 JASON G. LANDESSD, ESQ.
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11 Email: jland702@cox.net
12 Attorney for Plaintiff Minnie Moore Services, Inc.

13 DATED: February 21, 2018

14 McCORMICK, BARSTOW, SHEPPARD,
15 WAYTE & CARRUTH LLP
16 By

17 By: /s/ Dylan P. Todd
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IT IS SO ORDERED:

By: 
UNITED STATES MAGISTRATE JUDGE

DATED: 3-15-2018